



Patent
Attorney's Docket No. 1033262-000003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

The Patent Application of)
Jonathan R. Merril et al.) Group Art Unit: 2176
Application No.: 09/955,939) Examiner: LAURIE ANNE RIES
Filed: September 20, 2001) Confirmation No.: 9957
For: METHOD AND SYSTEM FOR THE)
STORAGE AND RETRIEVAL OF)
WEB-BASED EDUCATIONAL)
MATERIALS)

REPLY BRIEF

Commissioner for Patents
P.O. Box 1450
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Sir:

In reply to the Examiner's Answer dated December 13, 2006, Appellants offer the following comments. These comments highlight arguments with respect to some newly refined points made in the Examiner's Answer. Appellants maintain the arguments presented in the Brief for Appellant filed September 7, 2006, and offer the following rebuttal comments to the Examiner's Answer.

- A. Parasnus does not teach "means for capturing during the live presentation electronic still images" as recited in independent claim 1

1. Electronic Still Images Not Captured During Live Presentation

The Examiner identifies the NETSHOW server, running Microsoft's NETSHOW server application, as "means for capturing during the live presentation electronic still images," and likens HTML slides to electronic still images. (Examiner's Answer page 14, section 10). The Examiner suggests that the NETSHOW server "captures" the HTML slides during the presentation because Parasnus allegedly teaches that the HTML slides, as well as the ASF stream, are sent to the network server "during the live presentation" and that the network server then broadcasts the ASF stream and the presentation slides. Appellants respectfully disagree.

Nowhere does Parasnus appear to teach sending the HTML presentation slides to the NETSHOW server during the live presentation. Rather, Parasnus teaches that, prior to the start of the presentation, a plurality of HTML slide files are uploaded from a laptop computer to the NETSHOW server via a communication link, and then broadcast to a plurality of computers/workstations from which the presentation can be viewed, so that preferably all of the HTML presentation slide content is cached in each attendee's computer prior to the start of the live presentation. (Parasnus at col. 4, lines 20-27 and col. 20, lines 34-48, emphasis added).

Further, Parasnus describes that during a presentation broadcast *preparation* process, the content of each presentation slide is saved to an HTML slide file in a pre-selected directory, high and low-bandwidth file transfer service (FTS) files are

created that include the saved HTML file content and, the high and low-bandwidth FTS files are broadcast from the NETSHOW server. (Parasnus at FIG. 13 and col. 22, lines 27-29, 42-47 and 59-60). In this way, the HTML content of the presentation files can be received by the attendee's computer in advance of the time when the corresponding slides are viewed during the live presentation. (Parasnus at col. 22, lines 27-29, 42-47 and 59-60). Thus, contrary to the Examiner's assertion, the NETSHOW server does not "capture" the HTML slides during the presentation.

While, in some cases, attendees can receive a portion of the HTML slide file content via broadcast of the low-bandwidth FTS file during the presentation, the low-bandwidth FTS file includes the HTML slide file content that was already sent to and saved by the NETSHOW server prior to the presentation. (Parasnus at col. 5, lines 42-47 and col. 24, lines 29-35). Thus, even in this case, contrary to the Examiner's assertion, the NETSHOW server does not "capture" the HTML slides during the presentation.

For at least these reasons, and those presented in the Appeal Brief of September 7, 2006, the NETSHOW server described in Parasnus that saves content of each presentation slide to an HTML slide file and creates high and low-bandwidth FTS files prior to the start of the presentation is not an appropriate "means for capturing during the live presentation electronic still images for display," as recited in claim 1.

2. Capture Of Video Is Not Capture Of Electronic Still Images

The Examiner asserts that the claim language does not preclude an interpretation in which the video camera, as taught by Parasnus, may be used to "capture" both the presenter of the live presentation, as well as images projected on

a projection screen. (Examiner's Answer page 15, section 10). Appellants respectfully disagree.

During patent examination, the pending claims must be "given their broadest reasonable interpretation consistent with the specification." (MPEP §2111, stating that the Federal Circuit's *en banc* decision in *Phillips v. AWH Corp.*, 415 F.3d 1303, 75 USPQ2d 1321 (Fed. Cir. 2005) expressly recognized that the USPTO employs the "broadest reasonable interpretation" standard). The specification of the instant application does not support the interpretation that the video camera can be used to "capture" electronic still images. For example, the specification of the instant application distinguishes producing video signals from capturing still images, and provides that to capture a lecture, in one embodiment, the system creates data from the slides and saves the data in source files. (See, e.g., Specification at page 10, lines 6-7).

For at least these reasons, and those presented in the Appeal Brief of September 7, 2006, the video camera described in Parasnus that produces a video signal of the visual aspects of the presentation is not an appropriate "means for capturing during the live presentation electronic still images for display," as recited in claim 1.

- B. Parasnus does not teach "said means for capturing electronic still images includes means for routing electrical signals intended to drive said display device to said means for synchronizing" as recited in dependent claim 2

The Examiner identifies the generation of slide triggering commands for controlling the display of presentation slides on the receiving computers as "means for routing electrical signals intended to drive said display device to said means for

synchronizing." (Examiner's Answer page 15, section 10). Appellants respectfully disagree.

Parasnus describes generating HTML script commands in response to slide triggering events and routing the generated script commands to the receiving computers to facilitate display of the cached HTML slides on the receiving computers in synchrony with their display during the live presentation. (See, e.g., Parasnus at col. 4, lines 35-43). Thus, the HTML script commands in Parasnus are generated by the display device (i.e., the presentation computer) in response to slide triggering events during the presentation, but the HTML script commands are not the signals that actually trigger the display of the slides by the display device. In other words, the HTML script commands are not signals intended to drive the display device.

For at least these reasons, and those presented in the Appeal Brief of September 7, 2006, Parasnus does not describe "said means for capturing electronic still images includes means for routing the electrical signals intended to drive the display device to said means for synchronizing," as recited in claim 2.

C. Parasnus does not teach "a capturing component configured to capture digital still image data from data used to generate the still image, while the still image is being displayed by the still image generator," as recited in independent claim 20

1. Electronic Still Images Not Captured While The Still Image Is Being Displayed By The Still Image Generator

The Examiner identifies the NETSHOW server, running Microsoft's NETSHOW server application, as "means for capturing during the live presentation electronic still images," and as "a capturing component configured to capture digital still image data from data used to generate the still image, while the still image is being displayed by the still image generator." (Examiner's Answer page 7 and page

14, section 10). As described herein, the Examiner suggests that the NETSHOW server "captures" the HTML slides, which the Examiner likens to electronic still images, because Parasnus allegedly teaches that the HTML slides are sent to the network server during the live presentation. Appellants respectfully disagree.

As described herein, Parasnus teaches that, prior to the start of the presentation, a plurality of HTML slide files are uploaded from a laptop computer to the NETSHOW server via a communication link, and then broadcast to a plurality of computers/workstations from which the presentation can be viewed. (Parasnus at col. 4, lines 20-27 and col. 20, lines 34-48, emphasis added). Further, Parasnus describes that during a presentation broadcast preparation process, the content of each presentation slide is saved to an HTML slide file in a pre-selected directory, high and low-bandwidth FTS files are created that include the saved HTML file content, and the high and low-bandwidth FTS files are broadcast from the NETSHOW server. (Parasnus at col. 22, lines 27-29, 42-47 and 59-60). In this way, the HTML content of the presentation files can be received by the attendee's computer in advance of the time when the corresponding slides are viewed during the live presentation. (Parasnus at col. 22, lines 27-29, 42-47 and 59-60). Thus, contrary to the Examiner's assertion, the NETSHOW server does not "capture" the HTML slides during the presentation and, therefore, does not capture digital still image data from data used to generate the still image, while the still image is being displayed by the still image generator.

For at least these reasons, and those presented in the Appeal Brief of September 7, 2006, the NETSHOW server described in Parasnus is not "a capturing component configured to capture digital still image data from data used to generate

the still image, while the still image is being displayed by the still image generator," as recited in claim 20.

2. Video Signal Does Not Comprise Digital Still Image Data From Data Used To Generate The Still Image

The Examiner asserts that the claim language does not preclude an interpretation in which the video camera, as taught by Parasnus, may be used to "capture" both the presenter of the live presentation, as well as images projected on a projection screen. (Examiner's Answer page 15, section 10). Appellants respectfully disagree

Appellants maintain that the video camera does not capture digital still image data from data used to generate the still image because a video signal of images projected on a projection screen does not comprise data used to generate the still image. For example, in the case of computer generated slides, the digital video image data from the presentation computer generating the slide is transferred to the system's computer at the same time that the slide is projected onto the projection screen. (See, e.g., Specification at page 7, lines 13-27). In this way, the system's computer "captures" digital still image data from data used to generate the still image.

For at least these reasons, and those presented in the Appeal Brief of September 7, 2006, the video camera described in Parasnus that produces a video signal of the visual aspects of the presentation is not "a capturing component configured to capture digital still image data from data used to generate the still image, while the still image is being displayed by the still image generator," as recited in independent claim 20.

D. Conclusion

For at least the reasons given above and in the Appeal Brief of September 7, 2006, Appellants respectfully request that the Board overturn the Examiner's rejections.

Respectfully submitted,

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